(67)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(S) NO. 3236/2007

PETITIONER R.K.Dhoere, S/o. Shri Kanai Dhoere, aged 52 years, Occupation : Service, presently posted as Sub Divisional Officer, T.D.P.P. Water Resources Sub Division, Sukma, Division Dantewada (South Bastar) R/o. Sukma, Tahsil-Sukma, Tahsil Sukma, District Dantewada (South Bastar) (CG)

Vs.

RESPONDENTS

1. State of Chhattisgarh, through Secretary, Water Resources Department, Chhattisgarh Govenrment, D.K.S.Bhawan, Mantralaya, Raipur (CG)
2. Engineer in Chief, Water Resources Department, Sihava Bhawan, Raipur (CG)
3. Executive Engineer, Water Resources Division, South Bastar, Dantewada (CG)
4. K.S.Ramaiya, Sub Divisional Officer, TDPP,Water Resources Sub Division Dantewada, District Dantewada (CG)

WRIT PETITIONUNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

(SB: Hon'ble Mr. **Satish K. Agnihotri, J.)**

Shri Rajeev Shrivastava, counsel for the petitioner.
Shri S.K.Mishra, Panel lawyer for the State/respondent No. 1, 2 & 3.
Shri Pankaj Shrivastava, counsel for respondent No.4.

O R D E R

(Passed on this 16th day of November 2007)

The petitioner challenges his transfer from Sukma as Sub-Divisional Officer, Water Resources Department, Sub-Division Sukma to TDPP, Water Resources, Sub-Division Dantewada. The respondent No.4 who was posted at TDPP, Water Resources, Sub-

Division Dantewada was transferred to Water Resources Department, Sub-Division Sukma in place of the petitioner.

2. This Court, after hearing the parties, passed a status quo order on 11.06.2007. By virtue of the interim order, the petitioner continued at his own place at Sub-Division Sukma and the respondent No.4 continued at his original place of posting i.e. at TDPP, Water Resources, Sub-Division Dantewada.

3. The main ground of challenge of the petitioner was that the petitioner has been transferred within a period of seven months. Now the petitioner and respondent No.4 are at their old places for about six months.

4. The challenge of the petitioner on the ground of transfer on seven months is not available to him, as he has completed one year at his old place.

5. Learned counsel appearing for the respondent No.4 submits that respondent No.4 is on the verge of retirement. It is therefore under the policy of the Government that he should be placed at the appropriate place at his request.

6. Be that as it may, without going into the merits of the case, in view of the submission made by the learned counsel appearing for the State that the State Government will consider the case of the petitioner and respondent No.4 for posting them at appropriate places in public interest, nothing survives in this matter.

7. The petition is accordingly, disposed of. However, the State is directed to do the needful as stated above as early as possible preferably within a period of four weeks, without insisting compliance of the impugned order.

Sd/-
Satish K. Agnihotri
Judge

Suguna